

a processor that executes software stored in the memory, the software including one or more programmed routines, the programmed routines comprising:

a registration routine that opens a user account in the database for the user;

an electronic token sale routine that issues one or more electronic tokens from the vendor to the user without requiring communication with a financial institution, and adds the one or more electronic tokens to the user account, each electronic token having a value of a fraction of a dollar;

a display routine that displays the prices of the products in units of electronic tokens;

B1 a selection routine that permits the user to select a subset of the products for purchase without requiring the user to disclose personal information to the vendor, a total price of the subset of the products being computed in units of electronic tokens; and

a purchase routine that determines if the user account contains electronic tokens having a value equal to or greater than the total price, and if so, subtracts the total price from the user account; and

a download routine that enables the use to download the selected subset from the Internet.

Remarks

Examiner Interview

Applicant appreciates courtesies extended to applicant's undersigned representative during a personal Examiner interview conducted on December 2, 2003. During the interview, Examiners Sough and Kanof and applicant's undersigned representative discussed applicant's claimed invention and U.S. Patent Nos. 5,815,657 and 6,341,273. Examiners Sough and Kanof

suggested possible claim language that may place the application in condition for allowance. Applicant has included such language in independent claims 1 and 27.

Summary of the Office Action

Claims 1-27 are pending in this application.

Claims 1-14 and 16-27 have been rejected as unpatentable over Williams et al. (U.S. Patent No. 5,815,657) ("Williams") in view of Briscoe et al. (U.S. Patent No. 6,341,273) ("Briscoe").

Claim 15 has been rejected as unpatentable over Williams in view of Briscoe and further in view of Fujimoto (U.S. Patent No. 6,018,720) ("Fujimoto").

Applicant's Response

In applicant's response to an Office Action dated February 1, 2002, applicant amended independent claims 1 and 27 to recite issuing one or more electronic tokens from the vendor to the user "***without requiring communication with a financial institution.***" Support for this recitation is provided in the specification, e.g., at page 7, lines 29-33 and page 12, lines 20-25.

The Office Action states that "Williams does not explicitly disclose that the token sale routine that issues the tokens from the vendor to the user without requiring communication with a financial institution. Briscoe disclose the feature and step to sale [sic] electronic tokens to the user without requiring communication with a financial institution." The Office Action cites col. 1, line 63 - col. 2, line 23 of Briscoe as allegedly disclosing this feature. This passage, however, states that, "In operation, the user may be issued with the secret random number by a bank... the user communicates to the

vendor the value at the end of hash chain.... The vendor validates this value by returning it to the issuing bank... The bank confirms to the vendor the validity of the value."

This passage alone recites at least three (3) communications with a financial institution contrary to applicant's claimed invention. This passage recites a communication between the user and a bank and two (2) communications between a vendor and the bank. Applicant's claimed invention does not require communication with a financial institution. Applicant's claimed feature finds support throughout the specification. In particular, page 12, lines 20-25 cited above state that "because the user need not use a credit card for his purchases, it is unnecessary for the user to have a credit card, or for the user's computer or the vendor's computer to interact over the network with a bank or other financial institution to process credit card transactions" (emphasis added). Therefore, neither the user's computer nor the vendor's computer communicates with a financial institution when issuing tokens. This is contrary to Briscoe which requires at least three (3) communications between a user or vendor and a bank as discussed above.

Also in the passage cited in the Office Action, Briscoe confirms that at least a vendor's computer communicates with a financial institution. Col. 2, lines 16-18 state, "the vendor is now able to validate this hash value without further communication with the bank" (emphasis added). By stating that no further communication is necessary, at least one prior communication occurred between the vendor and the financial institution occurred. Applicant's invention conducts electronic commerce "without requiring communication with a financial institution" as claimed in claims 1 and 27.

Also in applicant's response to the Office Action dated February 1, 2002, applicant amended independent claims 1 and 27 to recite permitting the user to purchase the selected subset of the products and services **"without requiring the user to disclose personal information to the vendor."** Support for this recitation is provided in the specification, e.g., at page 11, lines 22-26.

The Office Action states "Williams does not explicitly disclose a selection routing that permits the user to select a subset of the products for purchase without disclosing personal information to the vendor. Briscoe disclose the feature and step that permits the user to select a subset of the products for purchase without disclosing personal information to the vendor." The Office Action cites col. 9, lines 19-25 of Briscoe as allegedly disclosing this feature. This passage, however, states that, "In all cases, vendor M1 has to be willing to relinquish their hold on the user's account (coin stick) by acknowledging they have received the message warning them not to accept further coins, before the bank can authorize another vendor to use the stick. Therefore, if the user wishes to have this flexibility, she must ensure the original contract with vendor M1 includes such an undertaking." This passage does not disclose anything relating to not requiring a user to disclose personal information to a vendor when making a purchase. Nowhere in this passage does Briscoe state that a user is not required to disclose personal information for making purchases as claimed by applicant.

Although applicant believes that claims 1 and 27, as originally amended, patentably distinguish over the prior art, in an effort to advance prosecution, applicant has amended independent claims 1 and 27 to recite that the purchase is made over the Internet using tokens having a value of a fraction of a

dollar. Support for this recitation is provided in the specification, e.g., at page 14, lines 22-30 and at page 4, lines 1-11, and page 12, lines 28-32.

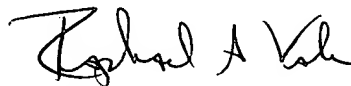
None of Briscoe, Williams, and Fujimoto appears to disclose transacting electronic commerce over the Internet and/or that enable micropayment purchases as claimed by applicant. Nowhere do Briscoe, Williams, or Fujimoto appear to disclose such a system or method of conducting electronic commerce. These amendments are being made in response to the Examiner Interview discussed above.

Applicant respectfully submits that claims 1 and 27 patentably distinguish over the prior art, and thus dependent claims 2-26 also patentably distinguish over the prior art for at least the same reasons.

CONCLUSION

In view of the foregoing, applicant respectfully submits that the application is in condition for allowance. An early and favorable action is earnestly requested.

Respectfully submitted,



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